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15 Attorneys for Plaintiffs
16 MAIL BOXES ETC., INC. and UNITED PARCEL
17 SERVICE OF AMERICA, INC.

18 UNITED STATES DISTRICT COURT
19 SOUTHERN DISTRICT OF CALIFORNIA

20 MAIL BOXES ETC., INC., and UNITED
21 PARCEL SERVICE OF AMERICA, INC.

22 Plaintiffs,

23 v.

24 UNITED POSTAL BUSINESS CENTER,
25 JOSEPH CHAN, individually, STANLEY
26 CHAN, individually,

27 Defendants.

Case No. 08-CV-1383 LAB (BLM)

**JOINT MOTION TO EXTEND CONSENT
ORDER**

Judge: Hon. Larry Burns

Place: Courtroom 9

1 Plaintiff Mail Boxes Etc., Inc. ("MBE") and Defendants United postal Business Center,
 2 Joseph Chan and Stanley Chan (collectively, "Defendants"), in accordance with Civil Local Rules
 3 7.2 and 12.1, jointly move the Court to extend the Consent Order entered on August 14, 2008
 4 (Dkt. No. 16) for an additional 10 days. In support of this Joint Motion, the parties state as
 5 follows:

6 Defendants and all agents, servants, employees and all persons acting in concert with them
 7 or on their behalf, pending further hearing on this matter, agree to entry of a Consent Order, and
 8 thus shall be (either directly or indirectly):

9 a. **RESTRAINED** from:

- 10 1. using or displaying the Marks, or any other logos, symbols or trade dress in
 11 connection with advertising, distribution, or display for sale of any product
 12 or service;
- 13 2. making, in any manner whatsoever, any statement or representation, or
 14 performing any act, likely to lead members of the public to believe that
 15 defendants' store is in any manner, directly or indirectly, associated,
 16 affiliated, connected with, licensed, sponsored, authorized or approved by
 17 Plaintiffs;
- 18 3. taking any action, directly or indirectly, in any form or manner whatsoever,
 19 that is likely to dilute the distinctive quality of Plaintiffs' famous registered
 20 Marks or otherwise taking any action likely to cause tarnishment or
 21 disparagement to Plaintiffs' business reputation;
- 22 4. otherwise infringing UPS' or MBE's trade name, trademark or service
 23 marks, or otherwise competing unfairly with Plaintiffs in any manner; and

24 b. The parties hereby agree that the Court's ORDER shall be effective until
 25 September 4, 2008 or until further Court ORDER.

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Dated: August 25, 2008

DLA PIPER US LLP

By /s/ Timothy S. Blackford

Attorney for Plaintiffs
Mail Boxes Etc., Inc. and
United Parcel Service of America, Inc.
tim.blackford@dlapiper.com

Dated: August 25, 2008

UNITED POSTAL BUSINESS CENTER

By

Dated: August 25, 2008

JOSEPH CHAN

Dated: August __, 2008

STANLEY CHAN

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Dated: August 25, 2008

DLA PIPER US LLP

By /s/ Timothy S. Blackford

Attorney for Plaintiffs
Mail Boxes Etc., Inc. and
United Parcel Service of America, Inc.
tim.blackford@dlapiper.com

Dated: August __, 2008

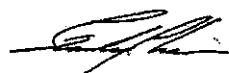
UNITED POSTAL BUSINESS CENTER

By _____

Dated: August __, 2008

JOSEPH CHAN

Dated: August 25, 2008



STANLEY CHAN

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Case No. 08-CV-1383 LAB (BLM)

PROOF OF SERVICE

Judge: Hon. Larry Burns
Place: Courtroom 9

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is DLA Piper US LLP, 401 B Street, San Diego, California 92101. On August 25, 2008, 2008, I served the within documents:

1. JOINT MOTION TO EXTEND CONSENT ORDER

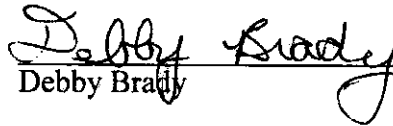
- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Diego, California addressed as set forth below.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, and deposited with UPS Overnight at San Diego, California addressed as set forth below.
- ☒ by transmitting via e-mail the document(s) listed above to the e-mail address(es) set forth below.
- ☐ by personally delivering the document(s) listed above at the address(es) set forth below.
- ☐ by transmitting via e-filing the document(s) listed above to the Case Management/ Electronic Case filing system.

Joseph Chan
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I declare that I am employed in the office of a member of the Bar of or permitted to practice before this Court at whose direction the service was made.

Executed on August 25, 2008, at San Diego, California.


Debby Brady